

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JIMMIE CALVIN ANDERSON, )  
                                )  
                                )  
Plaintiff,                 )  
                                )  
                                )  
v.                            ) 1:23-cv-902  
                                )  
                                )  
SHERIFF STEVE HIATT,      )  
SERGEANT HOLYFIELD, and    )  
CO MCMILLIAIN, Officer,    )  
                                )  
                                )  
Defendants.                 )

**ORDER**

On November 14, 2023 the United States Magistrate Judge's Order and Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 3, 4.) No objections were filed within the time prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Recommendation, (Doc. 3), is **ADOPTED**. **IT IS FURTHER ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE** to Plaintiff filing a new complaint, on the proper § 1983 forms, which corrects the defects cited in the Magistrate Judge's Order and Recommendation.

A Judgment dismissing this action will be entered  
contemporaneously with this Order.

This the 12th day of December, 2023.

William L. Osten, Jr.  
United States District Judge